

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37004 of 2022**

Arising Out of PS. Case No.-101 Year-2019 Thana- BACHHWARA District- Begusarai

Sonu Kumar, Son of Hareram Kumar, Resident of village- Pali Dih, P.S-  
Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Akshansh Ankit, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      02-09-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks from the date of resumption of  
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in  
connection with Bachhwara P.S. Case No. 101 of 2019  
registered for the alleged offences under Section 30 (a) of the  
Bihar Prohibition and Excise Act.

As per prosecution case, total 134.625 liters of India  
made foreign liquor was recovered from a car when the same  
was intercepted on information that it was being used to  
smuggle the illicit liquor. The petitioner is stated to be the owner  
of the car on the basis of an affidavit found in the car wherein it



has been mentioned that the petitioner has sold the car to one Shiv Shankar Singh.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the car or the liquor recovered from it since he has already sold the car to the co-accused Shiv Shankar Singh, who has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 29.04.2022 passed in Cr. Misc. No. 19198 of 2022. Nothing has come against this petitioner during investigation. Charge sheet has been submitted in this case and the petitioner is in custody since 24.04.2022.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner is a habitual offender and is accused in two such cases as well.

Having regard to the submissions made hereinabove and considering the fact that the petitioner has not been arrested from the spot and no recovery has been shown from him and further considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Excise Judge-1, Begusarai, in connection with Bachhwara P.S. Case No. 101 of 2019, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

V.K.Pandey/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

